



Docket No.: PF-0661 USN

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Filing Receipt Corrections, Office of Initial Patent Examination, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on  
May 12, 2003.

By: Lisa McDill

Printed: Lisa McDill

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Hillman et al.

Title: CANCER ASSOCIATED PROTEINS

Serial No.: 09/889,617

Filing Date: January 04, 2002

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

Filing Receipt Corrections  
Office of Initial Patent Examination  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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MAY 28 2003

**REQUEST FOR A CORRECTED FILING RECEIPT**

**TECH CENTER 1600/2900**

Sir:

Attached is a copy of the Official Filing Receipt (with red-line markings to note changes) received from the United States Patent and Trademark Office (USPTO) in the above application for which issuance of a corrected filing receipt is respectfully requested. Please make the correction as follows:

- Under the Section entitled, "IND CLAIMS" please replace, "3" with --2-- ;
- Under the Section entitled, "Domestic Priority data as claimed by applicant,"  
please replace, "This application is a 371 of PCT/US00/01565 01/21/2000"

with -- This application is a 371 of PCT/US00/01565 01/21/2000  
which claims the benefit of 60/183,021 01/22/1999 -- .

- Under the Section entitled, "Foreign Applications", please **delete** "UNITED STATES OF AMERICA 60183027 01/22/1999".

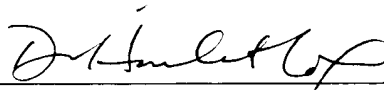
Applicants hereby request that the above corrections be entered based on the following enclosed documents:

1. A copy of the Patent Application Transmittal (2 pp.), mailed on July 17, 2001; and
2. A copy of executed Declaration (4 pp.), submitted November 13, 2001.

Applicants believe that no fee is due with this paper. However, if the Commissioner determines that a fee is necessary, the Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. **09-0108**.

Respectfully submitted,

INCYTE CORPORATION



Diana Hamlet-Cox

Reg. No. 33,302

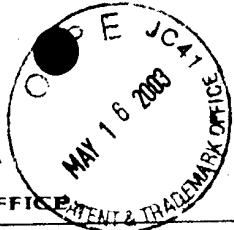
Direct Dial Telephone: (650) 845-4639

Date: May 12, 2003

Customer No.: 27904  
3160 Porter Drive  
Palo Alto, California 94304  
Phone: (650) 855-0555  
Fax: (650) 845-4166



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE



Commissioner for Patents  
Washington, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/889,617	01/04/2002	1645	874	PF-0661 USN	19	23	13

CONFIRMATION NO. 6961

27904

INCYTE CORPORATION (formerly known as Incyte  
Genomics, Inc.)  
3160 PORTER DRIVE  
PALO ALTO, CA 94304

# FILING RECEIPT



\*OC000000009806170\*

Date Mailed: 04/10/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

# RECEIVED

## Applicant(s)

Jennifer L. Hillman, Mountain View, CA;  
Henry Yue, Sunnyvale, CA;  
Y Tom Tang, San Jose, CA;  
Yalda Azimzai, Castro Valley, CA;

MAY 28 2003

TECH CENTER 1600/2900

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US00/01565 01/21/2000

-- This application is a 371 of PCT/US00/01565 01/21/2000

Foreign Applications which claims the benefit of 60/183,021 01/22/1999 --  
UNITED STATES OF AMERICA 60/183027 01/22/1999

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

## Title

Cancer -associated proteins

*Done? B*

**Preliminary Class**

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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Filing Receipt Corrections, Office of Initial Patent Examination, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on  
May 12, 2003.

By: *Lisa McDill*

Printed: Lisa McDill

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Commissioner for Patents  
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Alexandria, VA 22313-1450

**RECEIVED**

**MAY 28 2003**

**TRANSMITTAL FEE SHEET**

Sir:

Transmitted herewith are the following for the above-identified application:

1. Return Receipt Postcard;
2. Request for Corrected Filing Receipt (2 pp.);
3. Official Filing Receipt (with red-lined markings) (2 pp.);
4. Copy of the Patent Application Transmittal (2 pp.) mailed on July 17, 2001; and
5. Copy of executed Declaration (4 pp.) submitted November 13, 2001.

The fee has been calculated as shown below.

X No additional Fee is required.

         Please charge Deposit Account No. **09-0108** in the amount of : \$ 0

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 09-0108. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,

INCYTE CORPORATION

Date: May 12, 2003

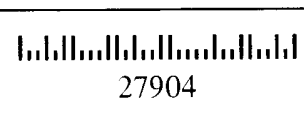
*Diana Hamlet-Cox*

Diana Hamlet-Cox

Reg. No. 33,302

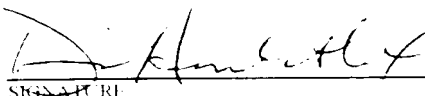
Direct Dial Telephone: (650) 845-4639

3160 Porter Drive  
Palo Alto, California 94304  
Phone: (650) 855-0555  
Fax: (650) 845-4166



MAY 16 2003

FORM 101 DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED ELECTED OFFICE (DO EO US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER <b>PF-0661 USN</b>
		U.S. APPLICATION NUMBER (known) Sec. 37 CFR 1.51 TO BE ASSIGNED
INTERNATIONAL APPLICATION NO. PCT/US00/01565	INTERNATIONAL FILING DATE 21 January 2000	PRIORITY DATE CLAIMED 22 January 1999
TITLE OF INVENTION <b>CANCER-ASSOCIATED PROTEINS</b>		
APPLICANT(S) FOR DO EO US <b>INCYTE PHARMACEUTICALS, INC.; HILLMAN, Jennifer L.; YUE, Henry; TANG, Y. Tom; AZIMZAI, Yalda</b>		
Applicant herewith submits to the United States Designated Elected Office (DO EO US) the following items and other information: 1. <input checked="" type="checkbox"/> This is the <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371. 2. This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371. 3. This is an express request to promptly begin national examination procedures (35 U.S.C. 371 (1)). 4. The US has been elected by the expiration of 19 months from the priority date (PCT Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. is attached hereto (required only if not communicated by the International Bureau) b. has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO US). 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. are attached hereto (required only if not communicated by the International Bureau). b. have been communicated by the International Bureau. c. have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
<b>Items 11 to 16 below concern document(s) or information included:</b>		
11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.27 and 3.31 is included. 13. A <b>FIRST</b> preliminary amendment. A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment. 14. A substitute specification. 15. A change of power of attorney and/or address letter. 16. <input checked="" type="checkbox"/> Other items or information:  1) Transmittal Letter (2 pp, in duplicate) 2) Return Postcard 3) Express Mail Label No.: <b>EL 856 154 101 US</b> 4) Request to Transfer		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>TO BE ASSIGNED</b>		INTERNATIONAL APPLICATION NO. <b>PCT/US00/01565</b>		ATTORNEY'S DOCKET NUMBER <b>PF-0661 USN</b>	
<p>17. The following fees are submitted</p> <p><b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b></p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1000.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$860.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$710.00</p> <p><b>International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)).....\$690.00</b></p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)).....\$100.00</p>					
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$690.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	23	3	X \$ 18.00	\$ 54.00	
Independent Claims	2	0	X \$ 80.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			X \$270.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$744.00	
Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				\$744.00	
Processing fee of \$130.00 for furnishing the English translation later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$744.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by the appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$744.00	
				Amount to be Refunded:	\$
				Charged:	\$
<p>a. A check in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. Please charge my Deposit Account No. 09-0108 in the amount of \$ 744.00 to cover the above fees.</p> <p>c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 09-0108. A duplicate copy of this sheet is enclosed.</p> <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>INCYTE GENOMICS, INC. 3160 Porter Drive Palo Alto, CA 94304</p> <div style="text-align: center;">         SIGNATURE     </div> <p style="text-align: center;">NAME: Diana Hamlet-Cox</p> <p style="text-align: center;">REGISTRATION NUMBER: 33,302</p> <p style="text-align: center;">DATE: 16 July 2001</p>					



**DECLARATION AND POWER OF ATTORNEY FOR  
UNITED STATES PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a United States patent is sought on the invention entitled

**CANCER ASSOCIATED PROTEINS**

the specification of which:

  /  / is attached hereto.

  /  X  / was filed on (to be assigned) as application Serial No. 09/889,617 and if this box contains an X   /  /, was amended on \_\_\_\_\_.

  /  X  / was filed as Patent Cooperation Treaty international application No. PCT/US00/01565 on January 21, 2000, if this box contains an X   /  /, was amended on under Patent Cooperation Treaty Article 19 on \_\_\_\_\_ 2001, and if this box contains an X   /  /, was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge my duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim the benefit under Title 35, United States Code, §119 or §365(a)-(b) of any foreign application(s) for patent or inventor's certificate indicated below and of any Patent Cooperation Treaty international applications(s) designating at least one country other than the United States indicated below and have also identified below any foreign application(s) for patent or inventor's certificate and Patent Cooperation Treaty international application(s) designating at least one country other than the United States for the same subject matter and having a filing date before that of the application for said subject matter the priority of which is claimed:



Country	Number	Filing Date	Priority Claimed
_____	_____	_____	// Yes // No
_____	_____	_____	// Yes // No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

Application	Status (Pending,
Serial No.	Abandoned, Patented)
60/183,027	Expired

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in said prior application(s) in the manner required by the first paragraph of Title 35, United States Code §112, I acknowledge my duty to disclose material information as defined in Title 37 Code of Federal Regulations, §1.56(a) which occurred between the filing date(s) of the prior application(s) and the national or Patent Cooperation Treaty international filing date of this application:

Application	Status (Pending,
Serial No.	Abandoned, Patented)

I hereby appoint the following:

Lucy J. Billings	Reg. No. 36,749
Michael C. Cerrone	Reg. No. 39,132
Diana Hamlet-Cox	Reg. No. 33,302
Richard C. Ekstrom	Reg. No. 37,027
Barrie D. Greene	Reg. No. 46,740
Matthew R. Kaser	Reg. No. 44,817
Lynn E. Murry	Reg. No. 42,918
Shirley A. Recipon	Reg. No. 47,016
Susan K. Sather	Reg. No. 44,316
Michelle M. Stempien	Reg. No. 41,327
David G. Streeter	Reg. No. 43,168
Stephen Todd	Reg. No. 47,139
P. Ben Wang	Reg. No. 41,420

respectively and individually, as my patent attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please address all communications to:

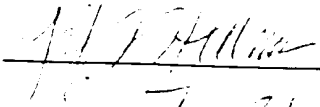
LEGAL DEPARTMENT  
INCYTE GENOMICS, INC.  
3160 PORTER DRIVE, PALO ALTO, CA 94304

TEL: 650-855-0555 FAX: 650-849-8886 or 650-845-4166

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**First Joint Inventor:**

Full name: Jennifer L. Hillman

Signature: 

Date: September 21, 2001

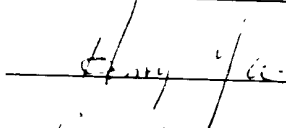
Citizenship: United States

Residence: Mountain View, California

P.O. Address: 230 Monroe Drive, #17  
Mountain View, California 94040

**Second Joint Inventor:**

Full name: Henry Yue

Signature: 


Date: September 24, 2001

Citizenship: United States

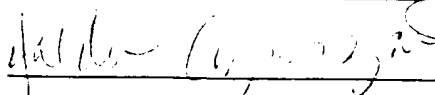
Residence: Sunnyvale, California

P.O. Address: 826 Lois Avenue  
Sunnyvale, California 94087

**Third Joint Inventor:**

Full name: Y. Tom Tang  
Signature:   
Date: September 10, 2001  
Citizenship: United States  
Residence: San Jose, California  
P.O. Address: 4230 Ranwick Court  
San Jose, California 95118

**Fourth Joint Inventor:**

Full name: Yalda Azimzai  
Signature:   
Date: September 13, 2001  
Citizenship: United States  
Residence: Castro Valley, California  
P.O. Address: 5518 Boulder Canyon Drive  
Castro Valley, California 94552